

THIS TEXT IS UNOFFICIAL TRANSLATION AND MAY NOT BE USED AS A BASIS FOR SOLVING ANY DISPUTE

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Pursuant to the third paragraph of Article 13 of the Banking Act (Official Gazette of the Republic of Slovenia, Nos. 25/15, 44/16 [ZRPPB] and 77/16 [ZCKR]; hereinafter: the ZBan-2), and the first paragraph of Article 31 of the Bank of Slovenia Act (Official Gazette of the Republic of Slovenia, Nos. 72/06 [official consolidated version] and 59/11), the Governing Board of the Bank of Slovenia hereby issues the following

REGULATION

on the application of the Guidelines on implicit support for securitisation transactions

Article 1

(purpose and field of application)

(1) Pursuant to the first paragraph of Article 16 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331 of 15 December 2010, p 12; hereinafter: Regulation (EU) No 1093/2010), on 24 November 2016 the European Banking Authority issued the Guidelines on implicit support for securitisation transactions (hereinafter: the guidelines), which are published on its website.

(2) The guidelines referred to in the first paragraph of this article specify what constitutes arm's length conditions and when a transaction is not structured to provide support for securitisation by sponsor institutions or originator institutions beyond their contractual obligations in accordance with Article 248 of Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176 of 27 June 2013, p 1; hereinafter: Regulation (EU) No 575/2013). The guidelines are without prejudice to the ongoing assessment of significant credit risk transfer during the life of the securitisation.

(3) The guidelines shall apply to:

1. financial institutions as defined in Article 4(1) of Regulation (EU) No 1093/2010; and
2. competent authorities as defined in point (i) of Article 4(2) of Regulation (EU) No 1093/2010.

Article 2

(content of regulation and scope of application of guidelines)

(1) By virtue of this regulation the Bank of Slovenia sets out the application of the guidelines to:

1. banks and savings banks that in accordance with the ZBan-2 have obtained an authorisation to provide banking services in the Republic of Slovenia (hereinafter: banks); and
2. the Bank of Slovenia, when in accordance with the ZBan-2 in its role as the competent authority it is exercising supervisory powers and tasks over banks referred to in point 1 of this paragraph.

(2) Banks that are acting in the role of sponsor or originator in securitisation transactions in accordance with Article 248 of Regulation (EU) No 575/2013 shall take full account of the provisions of the guidelines in the parts addressed to banks.

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(3) In exercising its supervisory powers and tasks in accordance with the ZBan-2 and Regulation (EU) No 575/2013, the Bank of Slovenia shall take full account of the provisions of the guidelines in the parts relating to the exercise of the powers and tasks of the competent authority.

**Article 3
(entry into force)**

This regulation shall enter into force on the day after its publication in the Official Gazette of the Republic of Slovenia, and shall begin to be applied on 1 March 2017.

Ljubljana, 10 January 2017

Boštjan Jazbec
President,
Governing Board of the Bank of Slovenia